

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8362 of 2020**

- Jaynand Sahu S/o Firatu Ram Sahu, aged about 32 years, R/o village Khursipali, Police Station & Tahsil Kharsiya, District Raigarh (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station Dabhra, District Janjgir-Champa (C.G.)

---- Respondent

For Applicant	:	Shri Dharmesh Shrivastava, Advocate
For Respondent	:	Shri Sameer Uraon, G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****10/03/2021**

1. The applicant has preferred this **second** bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.444/2019, registered at Police Station – Dabhra, District Janjgir-Champa (C.G.) for the offence punishable under Sections 394, 34 IPC.
2. Earlier bail application of the applicant was dismissed on merit.
3. The prosecution story, in brief, is that the complainant lodged a report at police station, Dabhra, alleging therein that on 11.12.2019, when he along with his wife was returning to their house in car, some unknown persons intercepted their car, assaulted them and looted a bag in which Rs.1,25,000/- was kept. Based on this, offence has been registered. The present applicant has been taken into custody on 10.01.2020.
4. Learned counsel for the applicant submits that the applicant

has been falsely implicated in the crime in question. He further submits that after rejection of first bail application, the subsequent development which took place in the matter is that the complainant has not supported the prosecution case and turned hostile. He also submits that the applicant is in custody since 10.01.2020 and looking to the detention period, he may be released on bail.

5. On the other hand, learned counsel for the State opposed the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 10.01.2020, without further commenting on merits of the case, I am inclined to release the applicant on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge